1	CHRISTOPHER CHIOU		
2	Acting United States Attorney District of Nevada		
3	Nevada Bar Number 14853 MELANEE SMITH		
	Assistant United States Attorney		
4	501 Las Vegas Boulevard South, Suite 1100 Las Vegas, Nevada 89101		
5	Phone: (702) 388-6336		
6	melanee.smith@usdoj.gov Attorneys for the United States of America		
7	UNITED STATES DISTRICT COURT DISTRICT OF NEVADA		
8	UNITED STATES OF AMERICA,	Case No. 2:18-cr-279-APG-EJY	
9	Plaintiff,	STIPULATION TO CONTINUE	
10	V.	HEARING	
	ELMER EDUARDO RODRIGUEZ,	(Second Request)	
11	Defendant.		
12	Defendant.		
13	IT IS HEREBY STIPULATED AND AGREED, by and between Christopher		
14	Chiou, Acting United States Attorney, and Melanee Smith, Assistant United States		
15	Attorney, counsel for the United States of America, and M. Kent Kozal, and Steven M.		
16	Altig, co-counsel for Defendant Elmer Eduardo Rodriguez, that the hearing currently		
17	scheduled for May 27, 2021 at 9:00 am, be vacated and set to a date and time convenient		
18	to this Court, but no sooner than thirty (30) days.		
19	The Stipulation is entered into for the following reasons:		
20	1. Parties have entered plea negot	ciations and counsel for defendant needs	
21	additional time to review the offer with the defendant.		
22	2. A resolution to the case would obviate the need for a hearing.		
23	3 The defendant is not in custody a	and agrees to the continuance	

1	4. Additionally, denial of this request for a continuance could result in	
2	miscarriage of justice.	
3	This is the second stipulation to continue the hearing filed herein.	
4	DATED this 19th day of May, 2021.	
5	CHRISTOPHER CHIOU Acting United States Attorney	
6	Acting Officed States Attorney	
7	/s/ Melanee Smith By	
8	MELANEE SMITH Assistant United States Attorney	
9		
10	<u>/s/ M. Kent Kozal and Steven M. Altig</u> M. KENT KOZAL and STEVEN M. ALTIG	
11	Counsel for Defendant Elmer Rodriguez	
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## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

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Case No. 2:18-cr-279-APG-EJY

**ORDER** 

## **FINDINGS OF FACT**

Based on the Stipulation of counsel and good cause appearing,
IT IS THEREFORE ORDERED, that the Evidentiary Hearing currently scheduled for
May 27, 2021 at the hour of 9:00 am, be vacated and continued to July 21, 2021, at the
hour of 9:30 a.m., in Courtroom 3B.

DATED this 20th day of May, 2021.

UNITED STATES OF AMERICA,

Plaintiff,

ELMER EDUARDO RODRIGUEZ,

Defendant.

v.

HONORABLÉ ÉLAYNA YOUCHAH UNITED STATES MAGISTRATE JUDGE